

**Sent:** Wed 1/15/2014 6:05:03 PM  
**Subject:** Bennoc Discussion 2014-01-15 with OEPA

## Bennoc Discussion 2014-01-15 with OEPA

Kevin, Janet, Gary, Kathy, me  
 Eric, Paul

OEPA wants to talk about Bennoc, another mine, process issues

### Bennoc

Kevin asked why reconstruction is limited to just one pond.

Pond 24 doesn't need to be redone given the infrequent discharge.

Janet asked them to put it in writing.

OEPA won't commit to it

OEPA seems to be saying the ponds discharge whenever they get filled (25 year storm followed by a 5 year storm the ponds won't be empty)

Kevin says we would like control structures on both and an understanding of how the ponds would discharge

TDS is about 4-7000 now.

Murry wants to change the permit from 25 yr/24 hr to 10 acre-ft (absolute volume), saying close to 25 yr/24hr. Reason is the site is space-limited. Just for Pond 23.

Janet says ponds are receiving groundwater. How will they handle storms with groundwater coming in

Eric recognizes that it is an issue but permit does not address it

Kevin says permit needs a lot more detail: Section M, what does intermittent mean, what period of time, how many days per period, and what the flow conditions need to be in Piney before a discharge is allowed

OEPA says Piney Creek is perennial not ephemeral.

OEPA says can only discharge during a precipitation event

Kevin says WET monitoring is needed. Gary says WET is tied to general effluent limits and it needs to be cleared up that the provisions in K make it alright to avoid the effluent limits in III.2

Agreement reached on WET testing: acute, quarterly with Cerio and annual with fish (fish for first two quarters)

Kevin brought up the set-aside

OEPA has another Murry permit in-house. Another couple downstream of Piney. One of these is deep-well injecting but can't do that

anymore. Lack of strata. Now wants to discharge to Ohio R or

Captina

OEPA made an argument that I don't completely recall that a large part of the discharge is not a new discharge because the discharge is already occurring, even without the mining operation

OEPA said too complex to do adeg on stormwater (infinite scenarios)

Janet said this is process water, not stormwater

Talking about the triggers

We agreed to keeping the 1500 trigger and replace the 2150 with

WET

Murry wants an escape clause if upstream biology is impaired and similar to downstream biology

DM16 and KLM (Deep Mine 16)

OEPA RP analysis shows limits are not necessary, low TDS levels

OEPA saying no WQ issues

Pressure to issue permit; therefore, pressure to resolve issues

Kevin said our issues are to include WET monitoring

OEPA will be sending today new permits

-----

Afterwards

Acute WET will be at downstream at 925

Janet says assume EOP and add WET at 925

What will the trigger be? I say anything more than 1.0 TUa